

**Iowa Department of Natural Resources
Environmental Protection Commission**

ITEM

15

DECISION

TOPIC

**Denial of Petition for Rulemaking
Filed by the South Dallas County Landfill Agency et al
RE: IAC Chapter 567—113 “Sanitary Landfills for Municipal Solid
Waste: Groundwater Protection Systems for the Disposal of Nonhazardous
Wastes.”**

The Director proposes the denial of the Petition for Rulemaking filed by South Dallas County Landfill Agency; Landfill of North Iowa; Metropolitan Area Solid Waste Association; Waste Management of Iowa, Inc.; Des Moines County Regional Solid Waste Commission; Page County Landfill Association; Winneshiek County Solid Waste Agency; Sac County Solid Waste Agency; Fayette County Solid Waste Management; and Regional Environmental Improvement Commission. The Petitioners seek the amendment of IAC Chapter 567—113 “Sanitary Landfills for Municipal Solid Waste: Groundwater Protection Systems for the Disposal of Nonhazardous Wastes.”

The Department asserts that denial is appropriate because:

1. The adoption of IAC Chapter 567—113 “Sanitary Landfills for Municipal Solid Waste: Groundwater Protection Systems for the Disposal of Nonhazardous Wastes” by the Commission on June 5, 2007 occurred after due consideration of the issues raised in the Petition. The Petitioners have not provided a sufficient rational for reopening this rulemaking.
2. The rule amendments proposed in the Petition constitute a potential decrease in the protection of human health and the environment.

Brian Tormey, Chief
Land Quality Bureau

May 16, 2008